

From: [Kenneth White](#)
To: [Lopez, Camelia \(USATXE\)](#)
Subject: FW: [EXTERNAL] Re: Cease And Desist Communications To TechDirt Blog And Its Writers
Date: Tuesday, December 27, 2022 12:53:56 PM

From: Kenneth White
Sent: Friday, December 16, 2022 3:28 PM
To: Andy Rakhshan <andy.rakhshan@gmail.com>
Subject: RE: [EXTERNAL] Re: Cease And Desist Communications To TechDirt Blog And Its Writers

Sir, you've made an inaccurate and misleading summary designed to support your argument.

Your communications are, by their nature, and by the nature of who you are, inherently threatening and menacing. You're a convicted criminal and, to be blunt, a terrorist.

I am not calling you. I have no interest in talking to you. If you have points you would like to make in writing, you may make them to me. I have already contacted the probation office and if you return to contacting Floor64, or if you escalate in any way, will next contact the FBI.

You will not dictate what my clients publish on their web site, whether by pretending to be polite or by returning to terrorist threats. You have gone from demanding that web sites stop referring to your Canadian conviction to now demanding that web sites take down coverage of your American arrest and prosecution. That's not going to happen.

From: Andy Rakhshan <andy.rakhshan@gmail.com>
Sent: Friday, December 16, 2022 3:12 PM
To: Kenneth White [REDACTED]
Subject: [EXTERNAL] Re: Cease And Desist Communications To TechDirt Blog And Its Writers

CAUTION: Email originated outside the firm.

Mr. White,

I just wanted to summarize your position from yesterday on my removal request to TechDirt to ensure that I understood everything you said accurately and completely.

You are saying:

1.) The post is not coming down after more than 5 years and it will stay up forever despite my claims that it is outright FALSE, misleading and extremely embarrassing.

2.) I have to cease and desist all contacts with TechDirt and Flor64, and If I continue my lawful and respectful communications with TechDirt or Floor64, you will do the following:

- a.) Contact the FBI Agents who investigated me!
- b.) Contact the Federal Prosecutors who prosecuted me!
- c.) Report me to the Probation Office who is supervising me.

3.) And lastly, if I continue contacting your clients, you will instruct TechDirt to publish additional posts about me.

Please advise if I missed anything?

If not, please first contact all of the authorities you mentioned above, and once you have exhausted all of them, then please pick up the phone and call me to discuss my removal request.

I can assure you - despite the online materials you quoted about my history - I am a very polite, respectful, and professional person to talk to.

Finally, regarding your threat to publish additional posts, I have to concede that is a concern to me. However, I don't see how that would cause me to cease and desist my lawful and polite communications with either TechDirt or Floor64.

I will patiently await your phone call. I am available anytime next week and have no conflict. Feel free to call me anytime at the below number.

Thank you.

425 - 210 - 0998

On Thu, Dec 15, 2022 at 1:09 PM Kenneth White [REDACTED] > wrote:

Thank you for acknowledging TechDirt's demand that you cease communications with them. You are scaring them.

I will not be speaking with you by phone. Feel free to send me anything you want me to convey to them. However, the post will not be coming down. Moreover, if you continue this, you should expect TechDirt to write a new post about it.

I have contacted the Probation Office handling your supervised release and will be conveying to them my concerns and my demand that you stop contacting TechDirt. I will be reporting any escalation or refusal to cease contact.

Ken White

From: Andy Rakhshan <andy.rakhshan@gmail.com>

Sent: Thursday, December 15, 2022 1:04 PM

To: Kenneth White [REDACTED]

Subject: [EXTERNAL] Re: Cease And Desist Communications To TechDirt Blog And Its Writers

CAUTION: Email originated outside the firm.

Mr. White,

I know the reason TechDirt is doing this is because that FBI agent who brought that case against me has instructed them to do so (i.e. treating me like this). He wants to stimulate and provoke me to act irrationally. But you can rest assured will NOT happen. But I cannot and will not cease and desist my communications and live with that article for ever.

If you don't want me to contact TechDirt, that is fine. From now on I will direct my communications to you so you could act as a conduit between me and them.

Please kindly send me a telephone appointment so I can call you and discuss my issue, which is of course, the removal of that 5-year old article.

I have no conflict.

Thank you

On Thursday, December 15, 2022, Kenneth White [REDACTED] > wrote:

Mr. Jahanrakhshan:

TechDirt will not be taking the article down. TechDirt will not be acknowledging or responding to any communications with you.

I have told you that your communications are unwelcome. To be clear, your communications are unwelcome and are threatening and menacing to them in light of your history. Continued communications will be harassing and intimidating and will put my clients in reasonable fear for their safety. If you continue to communicate, you will be doing so knowing that your communications are causing fear and intimidation and that your subjects have asked you to stop.

Ken White

From: Andy Rakhshan <andy.rakhshan@gmail.com>

Sent: Thursday, December 15, 2022 11:15 AM

To: Kenneth White [REDACTED]

Subject: [EXTERNAL] Re: Cease And Desist Communications To TechDirt Blog And Its Writers

CAUTION: Email originated outside the firm.

Mr. White,

Your below allegations are non-sense. I did not break any laws by contacting Tech Dirt. I was very polite to them and I don't intent to commit any of the illegal acts you mentioned below against Tech Dirt or anyone else.

Feel free to report me to anyone you wish. I intend to continue my polite and respectful communications with tech dirt and Floor64 in order to have the blog post removed.

I am not represented by any counsel. So please direct any further correspondence to myself. Again feel free to report me to any authorities you wish.

And of course, feel free to call me anytime at the below number.

425-210-0998

On Thursday, December 15, 2022, Kenneth White <kwhite@brownwhitelaw.com> wrote:

Mr. Jahanrakhshan:

I am litigation counsel to Floor64, which operates the site Techdirt. I write to demand that you cease and desist all communications whatsoever to Floor64 and its officers and employees, including TechDirt writers.

Today you sent a message to Floor64 requesting that it take down a 2017 blog post about your 2017 arrest for fraudulent and threatening conduct designed to suppress reporting of your Canadian conviction. While today's message was not explicitly threatening, it comes in the context of your federal conviction and imprisonment for your prior threats about reporting of that same prior conviction:

<https://www.justice.gov/usao-ndtx/pr/man-receives-maximum-sentence-ddos-attack-legal-news-aggregator>

Testimony and evidence from the trial established that when attacking each victim, Mr. Rakhshan followed the same pattern. First he would contact the targeted site and request that the site remove any publically available information about his 2013 criminal conviction in Canada. Mr. Rakhshan initially claimed that the similarity of his name to the convicted person's name was ruining his life. When the websites refused to remove the data, Mr. Rakhshan first offered bribes to compel their compliance, then escalated his conduct through emails and faxes, by threatening to attack the site or

associated sites. In some instances, Mr. Rakhshan threatened to call in bomb threats. Often, after initiating a successful DDoS attack, Mr. Rakhshan would contact the victim, admit to being the convicted person, brag about the successful attack, and threaten additional attacks.

Based on this, I am concerned you are about to follow your established pattern and escalate to threats, harassment, or DDoS attacks on TechDirt.

This is your one and only warning to stop completely, unconditionally, and immediately. If you do so, Floor64 and I will consider the matter closed, and will not report on your ominous-in-context message nor contact any authorities. But if you engage in any more communications whatsoever with Floor24, TechDirt, or their officers or writers, and certainly if you engage in any fraud, threats, or attacks towards them, I will be contacting the FBI agents who investigated your federal case, the federal prosecutors who prosecuted it, and the probation officer supervising your current term of supervised release. I am a former Assistant United States Attorney, and a 20-year federal criminal defense attorney, and you should not have any doubt that I am familiar with the system and how to bring your conduct to its attention to protect my clients. I note that your terms of supervised release include computer monitoring, and wonder, as I see your message, whether you have been evading it. I will also encourage TechDirt to report accurately on your new conduct, which I suspect will lead anyone else you have contacted since your release to come forward and add their data to the information I will be providing to the government.

There will be no further warnings.

If you believe you have a lawful purpose in communicating with Floor64, you may have an attorney contact me.

Ken White



Kenneth P. White

Brown White & Osborn LLP

[REDACTED]
[REDACTED]
[REDACTED]